## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA	)	
Plaintiff,	)	Cr. No. 20-1566 KWR
VS.	)	
TIMOTHY CHISCHILLY and STACEY YELLOWHORSE,	) )	
Defendants.	)	

## RESPONSE TO MOTION TO SEVER DEFENDANTS

The United States responds to Motion to Sever Defendants. Doc. 78 ("Motion"). Having reviewed the Motion, and researched the relevant caselaw, the United States does not oppose the Defendants' requested severance of trial under Rule 14 of the federal rules of criminal procedure. Specifically, the United States does not object to the Court severing defendants to hold separate trials for Defendants Timothy Chischilly and Stacey Yellowhorse.

Respectfully submitted,

FRED J. FEDERICI Acting United States Attorney

/s/ electronically filed September 24, 2021

FREDERICK MENDENHALL JENNIFER ROZZONI Assistant U.S. Attorneys

201 Third St. NW, Suite 900 Albuquerque, NM 87102 (505) 346-7274 phone (505) 346-7296 fax I hereby certify that a copy of this motion was delivered via CM/ECF to counsel for the defendant.

Electronically filed FREDERICK MENDENHALL